

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL CASE NO. 3:08cr156

UNITED STATES OF AMERICA,

vs.

MARTIR NAUN LOPEZ-FLORES.

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ORDER

THIS MATTER is before the Court *sua sponte* to continue the case.

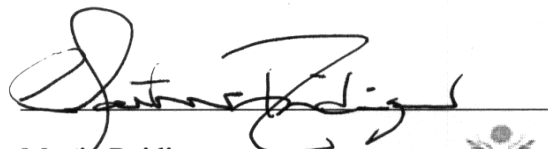
On October 19, 2007, the Defendant was charged in a bill of information with entering the United States at a time and place other than as designated by immigration officers, in violation of 8 U.S.C. §1325(a)(1). An initial appearance was held on July 29, 2008, at which time counsel was appointed. An arraignment was held on August 12, 2008, at which time the Defendant appeared through counsel. Following the arraignment, the Defendant's case was placed on the August 18, 2008 calendar for trial. [Doc. 8].

The Court finds that, absent a continuance, counsel would not have an adequate opportunity to prepare for trial, taking into account the exercise of due diligence. The Court therefore finds that a failure to grant the continuance "would unreasonably deny the defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." 18 U.S.C. §3161(h)(8)(B)(iv).

For the reasons stated herein, the ends of justice served by the granting of the continuance outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. §3161(h)(8)(A).

IT IS, THEREFORE, ORDERED that the above-captioned case is **CONTINUED** from the August 18, 2008 term in the Charlotte Division.

Signed: August 18, 2008


Martin Reidinger
United States District Judge

